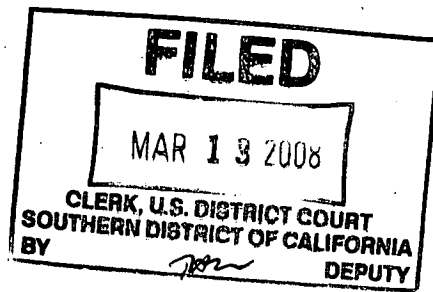


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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

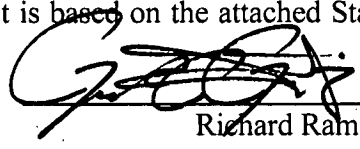
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UNITED STATES OF AMERICA,	)	Magistrate Case No.:
	)	
Plaintiff,	)	<u>COMPLAINT FOR VIOLATION OF:</u>
	)	
v.	)	Title 8, U.S.C., Section 1324(a)(1)(A)(ii)
	)	Illegal Transportation of Aliens
Hugo Luciano ESQUIVIAS-Castillo	)	
	)	
Marcos Daniel RAMIREZ-Garcia	)	
	)	
Defendants.	)	

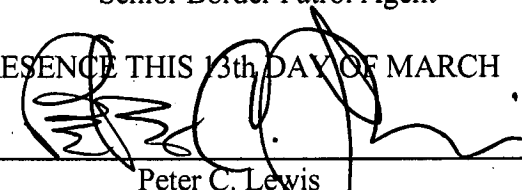
The undersigned complainant, being duly sworn, states:

On or about March 12, 2008, within the Southern District of California, defendant's Hugo Luciano ESQUIVIAS-Castillo and Marcos Daniel RAMIREZ-Garcia, with the intent to violate the immigration laws of the United States, knowing and in reckless disregard of the fact that aliens, namely, Hector Eguil LOPEZ-Cruz, Francisco Javier CORREA-Bautista, and Ramon VASQUEZ- Gordillo had come to, entered and remained in the United States in violation of law, did transport and move, said aliens within the United States in furtherance of such violation of law; in violation of Title 8, United States Code, Section 1324(a)(1)(A)(ii).

And the complainant states that this complaint is based on the attached Statement of Facts, which, is incorporated herein by reference.

  
Richard Ramirez  
Senior Border Patrol Agent

SWORN TO BEFORE AND SUBSCRIBED IN MY PRESENCE THIS 13th DAY OF MARCH 2008.

  
Peter C. Lewis  
United States Magistrate Judge

1 UNITED STATES OF AMERICA

2 v.

3 Hugo Luciano ESQUIVIAS-Castillo

4 Marcos Daniel RAMIREZ-Garcia

6 STATEMENT OF FACTS

7 The complainant states that this complaint is based upon statements in the investigative  
8 reports by the apprehending agent's, Border Patrol Agent D. Carney and Canine Agent T.  
9 Delgado that on March 12, 2008, the defendant's Hugo Luciano ESQUIVIAS-Castillo and  
10 Marcos Daniel RAMIREZ-Garcia, natives and citizens of Mexico were apprehended near  
11 Calexico, California, as the driver and passenger of a 1998 Kenworth semi-truck bearing  
12 California license, 9D37895, and 1989 utility trailer bearing California license, 4AP4099, as they  
13 smuggled 19 undocumented aliens from Mexico in violation of 8 U.S.C. Section 1324.

14 On March 12, 2008, at approximately 12:15 a.m. a white semi-truck with a trailer  
15 approached the Highway 86 Border Patrol checkpoint. BPA Carney identified himself as a  
16 United States Border Patrol Agent and asked the driver and passenger later identified as Hugo  
17 Luciano ESQUIVIAS-Castillo (Driver) and Marcos Daniel RAMIREZ-Garcia (Passenger) to  
18 state their citizenship. Both stated they were citizen's of Mexico and provided valid DSP-150's  
19 and I-94's. BPA Carney noticed that ESQUIVIAS was nervous during the interview. When  
20 BPA Carney returned the documents to ESQUIVIAS, he nervously fumbled with the documents  
21 and his voice was giving out as he responded. BPA Carney was advised by BPA Delgado that  
22 his service canine Rambo-C alerted to the rear of the trailer. BPA Carney asked ESQUIVIAS  
23 for permission to search the semi-truck and trailer. ESQUIVIAS gave consent and pulled into  
24 secondary.

25 During the inspection, BPA Delgado observed numerous subjects through the inventory  
26 door inside the rear cargo area of the trailer. Once BPA Delgado gained access to the rear of the  
27 trailer, he discovered 19 subjects attempting to conceal themselves within the cargo.  
28  
29

1 ESQUIVIAS and RAMIREZ were then taken into custody. All 19 subjects were interviewed  
2 and it was determined they were illegally present in the United States.

3 The driver, Hugo ESQUIVIAS-Castillo, stated on the evening of March 11, 2008, he was  
4 dropped off on Cole Rd. in Calexico, California. ESQUIVIAS stated there was a semi-trailer  
5 ready to be driven. He checked the seal, bill and lading prior to driving off. ESQUIVIAS stated  
6 he was not sure what the trailer contained but believed it was fresh produce. ESQUIVIAS stated  
7 he was to deliver the trailer to Moorpark, California, and he had no knowledge of the illegal  
8 aliens hidden in the trailer.

9 The passenger Marcos Daniel RAMIREZ-Garcia stated he was picked up at Murenaca  
10 Farms in Calexico, California, by ESQUIVIAS. RAMIREZ stated they traveled directly to the  
11 checkpoint. RAMIREZ stated he was riding along with ESQUIVIAS and he believed the trailer  
12 contained some sort of fresh produce. RAMIREZ stated they were to deliver the cargo to  
13 Moorpark, California. RAMIREZ stated he had no knowledge of the illegal aliens concealed in  
14 the trailer.

15 Material Witness Hector Eguil LOPEZ-Cruz stated, he entered the United States illegally  
16 by crossing the border near Calexico, California. LOPEZ stated he was later approached in town  
17 by a subject named Roger and made arrangements to be smuggled to Los Angeles, California for  
18 \$1500.00. LOPEZ stated he was taken to a motel in Calexico and waited for a day until he was  
19 taken to a rural area with four other subjects. LOPEZ stated while they were waiting to be  
20 picked up, a white pick-up truck dropped off more subjects. LOPEZ stated when the semi trailer  
21 arrived, they boarded the trailer and there was at least five subjects already inside. LOPEZ  
22 stated he could not identify the driver.

23 Material Witness Francisco Javier CORREA-Bautista stated he entered the United States  
24 illegally on March 11, 2008, by climbing over the International Boundary Fence, near the  
25 Calexico, California Port of Entry. CORREA stated following his illegal entry, he hid on top of  
26 a house until he was picked up by an unknown woman and taken to a house at an unknown  
27 location. CORREA stated he remained at the house along with other subjects for a day until they  
28 were taken to a rural area and boarded a semi-trailer. CORREA stated there were subjects inside  
29

1 the trailer when he boarded. CORREA stated he was to pay \$2,000.00 once smuggled to Los  
2 Angeles, California. CORREA stated he could not identify the driver.

3 Material Witness Ramon VASQUEZ-Gordillo, stated he entered the United States  
4 illegally on March 11, 2008 by climbing over the International Boundary Fence near, the  
5 Calexico, California Port of Entry. VASQUEZ stated he walked into a store and was later  
6 approached by an unknown subject. VASQUEZ stated he was taken to a house where he spent  
7 the night. He was taken along with others to an empty lot where he boarded a semi-trailer.  
8 VASQUEZ stated when he boarded the semi-trailer there were numerous subjects inside the  
9 trailer. VASQUEZ stated he was to pay \$2,500.00 to be smuggled to Florida, California.  
10 VASQUEZ stated he could not identify the driver.

11 The complainant states that the names of the Material Witnesses are as follows:

<u>NAME</u>	<u>PLACE OF BIRTH</u>
Hector Eguil LOPEZ-Cruz	Mexico
Francisco Javier CORREA-Bautista	Mexico
Ramon VASQUEZ-Gordillo	Mexico

16 Further, complainant states that Hector Eguil LOPEZ-Cruz, Francisco Javier CORREA-  
17 Bautista and Ramon VASQUEZ-Gordillo are citizens of a country other than the United States;  
18 that said aliens have admitted that they are deportable; that their testimony is material, that it is  
19 impracticable to secure their attendance at the trial by subpoena; and they are material witnesses  
20 in relation to this criminal charge and should be held or admitted to bail pursuant to Title 18,  
21 United States Code, Section 3144.